

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JAMES H. GORBEY, JR.,)	
Administrator of the)	
Estate of Marissa Rose)	
Fishman, Deceased,)	
)	
Plaintiff,)	
)	C.A. No. 05-211 KAJ
v.)	JURY TRIAL DEMANDED
)	
RICHARD LONGWILL, BARBARA)	
LONGWILL, AIR BASE CARPET)	
MART, INC., d/b/a Air Base)	
Distributing, Inc., d/b/a)	
Air Base Carpet Mart, AIR)	
BASE DISTRIBUTING, INC.,)	
ASHLAND CONSTRUCTION)	
COMPANY, INC., JOSEPH)	
RIZZO & SONS CONSTRUCTION)	
VINCENT RIZZO CONSTRUCTION)	
CO., INC., d/b/a Ashland)	
Construction Co., Inc.,)	
JOSEPH V. RIZZO, VINCENT)	
RIZZO,)	
)	
Defendants.)	

Deposition of BARBARA H. LONGWILL, taken pursuant to notice at the law offices of Murphy, Spadaro & Landon, 1011 Centre Road, Suite 210, Wilmington, Delaware, beginning at 1:20 p.m. on Tuesday, March 7, 2006, before Heather M. Triozzi, Registered Professional Reporter, Certified Shorthand Reporter, and Notary Public.

Date 10/9/02 @ 11 AM Page No. 1

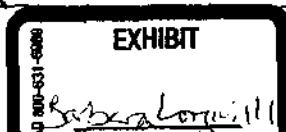
STATEMENT OF:

Barbara Longwill

I am Barbara Longwill, DOB: 3-29-41,
 SSN: 547-72-4797, residing at 3220
 Coachmen Ave, ^{Park} Sunnyvale, DE 19808; 302-
 478-5871. I am not currently
 employed. I am married to Richard,
 with 3 children, Debra Longwill 40, 59,
 Michael Aaron Longwill 38, and Rochelle-
 Beth Fishman, 36. The house at
 3220 Coachmen is in a trust and I am
~~the trustee~~ ^{the trustee}. We have ~~lived~~ ^{occupied}
 here 35 years. This is not our primary residence.

648 Palm Ave, Hallandale, FL 33009
 On August 18, 2002, Richard & myself ^{Carly home} ~~and~~ ^{for}
 Rochelle and her ⁴ ~~5~~ children moved
~~into~~ into the house, along with her
 housekeeper, Teresa. Rochelle had been
 living at 110 Kelly Ave, Chadsford, PA
 19317. The reason she moved temporarily in-
 was due to the fact she was ^{involved} ~~in~~ divorce
 proceedings with her husband, who was
 and in N.J. acting aggressively on a beach that day.
 Rochelle was concerned for her safety and called
~~us~~ ^{us} with this information. We
 talked her therapist who recommended she
 not be ~~at~~ at home when her husband returns.

ie, my husband & I, were returning from vacation
 Witness: R. Manganello ~~Barbara Longwill~~ ^{family}



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STATEMENT OF:

Barbara Longwell

Rochelle & her 4 children had been away with us and intended on returning home to their residence in ^{PA} ~~the area where they lived~~ ^{while she} ~~got the~~ ^{Police message} ~~came here to~~ 3200 Coachman Drive ~~hereafter~~. She had packed some items and taken the 4 children out of the home in Chalford, PA. Rochelle had told me, after we returned here on 8-18-02, that she would not be returning ^{to her} ^{PA} home until her husband moved out. From August 18, 2002 to August 30, 2002, and in fact to present, my daughter ^{has} set up temporary residence here; dropping her kids off at camp, doing errands from here as a base, etc. Her children are Alexandra, 7, Harrison, 5, Samuel, 4 & Marissa, 2 months. The rules of the house were that no children go up to the 2 ^{leading} ~~down~~ to the pool, ~~and~~ without an adult. We have 2 interior doors leading out to the pool enclosure. They are located in the dining room and in the bedroom. They are sliding glass doors with ~~locks~~ ^{locks}; one at the handle & one at top pane of movable slider. At home, the doors

Witness: R. Manganello — ~~Barbara Longwell~~

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STATEMENT OF:

Barbara Longwill

are always locked, except when in use. I was home here inside the house from the moment I woke up until the incident happened. I was expecting 37+ guests for dinner. The day of the incident was August 30, 2002. I would say I awoke ~~on~~ this day at or around 7 AM. Present at the time were Richard, Rochelle, Debra, Teresa, Helen Longwill, ~~and~~ ^{and} Alison and Rochelle's 4 children. I cannot recall who else was awake. My plans were to cook the food for that day. I recall Alison & Teresa asking to help me. I remember seeing everyone awake well before the incident happened. Rochelle, my daughter & Marissa's mother, was awake and was mainly in the bedroom where she had been living. I last recall seeing Marissa in the kitchen with me, playing with the cabinets & microwave. I cannot judge the time frame that this event was from when the incident happened. Two workers had also arrived in the AM, Mr. Rizzo & helper, but the time of their arrival is not a witness. R. Manganello — ~~Barbra~~ ^{Barbra} ~~Longwill~~ ^{Longwill}

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STATEMENT OF:

Barbara Longwill

is unknown to me. Marissa had not been noticed by me playing ^{at} the interior pool doors at the dining room & bedroom. Had I noticed her, I would have taken action in moving her away. I was at the sink in the kitchen when I first became aware of something wrong. I ~~can~~ recall Alexandra saying, "Where is Marissa", and then she said, "Oh my god, the pool door is open". At the same time, Rochelle & Debra came running out from the back bedrooms. I moved out of the kitchen ~~passage~~ ^{and} saw Marissa ^{being brought into the Dining Room.} ~~floating face down in the pool~~ Debra & Rochelle brought her inside and laid her down on the dining room carpet to do CPR. Debra is a dermatologist. I called 911. I do not know who left the door open specifically. I had two workers here, Vinny Rizzo and a helper. Originally, Vinny agreed to help get a table from the outside to bring it in through the dining room door and into the pool enclosure for me. I observed him do this and after he was done.

Witness: R. Maganelli — Barbara Longwill

Date 4/10/02 @ 11AM Page No. 5

STATEMENT OF:

Barbara Longwill

I went over to the dining room slider where he accessed the pool enclosure and looked through again. Thereafter, Vinny ~~offered to~~ ^{offered to} clean the chairs ~~up~~ ^{up} as well. ~~He also took the chairs inside the enclosure~~ ^{He also took the chairs inside the enclosure} ~~and the interior~~ ^{and the interior} ~~dining room slider~~ ^{dining room slider} ~~was open to the pool enclosure.~~ ^{was open to the pool enclosure.} ~~I had not noticed the door open prior to Melissa being found.~~ ^{I had not noticed the door open prior to Melissa being found.} ~~All dictated instructions to me and eventually I passed the phone to Rachel Debra. I recall the CPR compressions were being counted off. The children were in the immediate area. I don't recall where Anissa & my ~~mother-in-law~~ ^{mother-in-law} were. I did not say anything to the workers. I cannot sit a timeframe on how long it took me from TV to get here. The workers were outside on the outside patio and would not be able to see in from the outside as all exterior windows were boarded up. Anissa was immediately taken away upon FBI witness: R. Manganello ~~Barbara Longwill~~~~

Date 6/9/02 @ 11AM Page No. 6

STATEMENT OF:

Barbara Longwill

Amherst. I stayed at home with the children. ~~There was no incident that happened~~ Again, in reviewing when Marissa left my sight from my last seeing her in the kitchen, I was in the kitchen, I assume my mother in law was in ^{her guest} room, I assume ~~Adrian~~ ^{Rochelle} & Debra were in the back room ~~Adrian~~ ^{Rochelle} was in, or in the room w/ all the kids beds. I do not know where Adrian was. The two workers were, I assume, outside. I do not know where Teresa was when the subject incident happened. Up to the point of the accident, Eric Fishman, was not permitted here. On 5-24-02, I had to call 911 to my home to have him removed for showing up unannounced & uninvited. There shall be a police report on that incident. From that point forward, he would not be permitted here. I lifted that for the Shiva - 6 or 7 nights - for ~~Marissa~~ Marissa. ~~At no point~~ At no point ~~was~~ was Eric Fishman accusatory to me or my family. Everyone was interviewed by police.

Witness: R. Manganello — Barbara Longwill

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STATEMENT OF:

Barbara Longwell

I was told specifically that they ruled the matter an accidental death. In the police review, they determined that an autopsy would not be necessary and the body was released.

~~XXXX~~ I have read these seven (7) pages & they are true & correct. ~~Barbara Longwell~~
Witness: R. Maganelli

Barbara Longwell